

REMARKS

Initially, Applicants wish to thank the Examiner for the detailed Final Office Action and for the Notice of References cited therein. Applicants would also like to thank the Examiner for conducting an Interview with Applicants' Representative, Monica Ullagaddi, on June 24, 2009. In this regard, Applicants' Representative and the Examiner discussed the rejection of independent claim 1 over JUNG and KIKUCHI, and in particular, the claimed limitation "an image selector that selects at least one image of the plurality of images to be rendered based on a specified location on a time axis relating to the playback timing of the video included in the control information and the rendition time corresponding to each image stored in the storage," recited in Applicants' independent claim 1. Applicants' Representative and the Examiner further discussed possible claim amendments, however, no agreement was reached.

Independent claims 1 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over JUNG (U.S. Patent No. 7,401,100) and KIKUCHI et al. (U.S. Patent No. 5,870,523).

Upon entry of the present amendment, independent claims 1 and 8 will have been amended. The amendments to independent claims 1 and 8 should not be considered an indication of Applicants' acquiescence as to the outstanding rejection. Applicants have amended independent claims 1 and 8 to advance the prosecution and to obtain an early allowance of the present application.

Applicants traverse the rejection of claims 1 and 8 under 35 U.S.C. §103(a) as being unpatentable over JUNG and KIKUCHI. Applicants' amended independent claim 1 recites, *inter alia*, an image selector that selects at least one image of the plurality of images to be rendered based on a specified location that is a location, on a time axis relating to the playback timing of the video currently being played, which is specified based on the control information and the

rendition time corresponding to each image stored in the storage unit. The Examiner asserts that the combination of JUNG and KIKUCHI discloses the claimed image selector. In particular, the Examiner asserts that at least insofar as JUNG discloses synchronizing multimedia elements and DVD content, JUNG inherently teaches selecting images such that each image is selected for rendering in the appropriate sequence to synchronize the rendition of the images with the DVD content. Applicants respectfully submit that JUNG discloses an interactive contents synchronizing unit 13 that transmits an application program interface (API) to AV contents reproducing engine 14 and synchronized multimedia element reproducing engine 15. The AV contents reproducing engine 14 disclosed by JUNG is submitted to reproduce AV contents and the synchronized multimedia element reproducing engine is submitted to reproduce multimedia elements, each using the application program interfaces, presumably based on different time table information (*see, e.g.*, Figure 8 and column 8, line 51 through column 9, line 14 of JUNG). JUNG discloses that a determination is made whether multimedia elements included in the interactive contents are synchronized with the AV contents and if the multimedia elements included in the interactive contents are determined to be synchronized with the AV contents in operation 84, an interactive control command is received from a user and an API corresponding to the received interactive control command is transmitted in operation 85. If the multimedia elements included in the interactive contents are not synchronized with the AV contents, JUNG further discloses the multimedia elements are reproduced independently of the interactive control command (*see, e.g.*, column 9, lines 10-14 of JUNG). Applicants respectfully submit that JUNG further discloses that multimedia elements may additionally need time table information in the form of a VOB (see, e.g., column 6, lines 56-60 of JUNG). However, Applicants respectfully submit that JUNG does not disclose or even suggest that any

information, let alone time table information is transferred between AV contents reproducing engine and synchronized multimedia element reproducing engine 15 during reproductions. That is, the AV contents reproducing engine 14 and the synchronized multimedia element reproducing engine 15 each perform reproduction operations independently of one another, presumably based on different time table information (in the form of a VOB) and/or possibly another time axis specified by a system time clock.

In contrast, Applicants' independent claim 1 recites, *inter alia*, an image selector that *selects at least one image of the plurality of images to be rendered* based on a specified location that is a location, on a time axis relating to the playback timing of the video currently being played, which is specified based on the control information and the rendition time corresponding to each image stored in the storage. The rendition times shown in Figure 8 of the Application specification as filed are designated as locations on the playback time axis of the AV data that is played together with execution of the application (*see, e.g.*, paragraph [0216] of the published application, U.S. Patent Application Pub. No. 2008/0285947). That is, the claimed plurality of images and the video currently being played are synchronized by using a single time axis, the single time axis specifying a current position of the video. In other words, the claimed specified location is submitted to be a location on a time axis of a playing video, and multimedia elements are submitted to be rendered using this time axis for the playing video.

Applicants respectfully submit that the synchronized multimedia element reproducing engine 15 disclosed in JUNG cannot select and render images of multimedia elements based on a location on a time axis relating to the playback timing of the video of the AV contents currently being played (as specified in Applicants' independent claim 1) by the disclosed AV contents reproducing engine 14. At least insofar as JUNG does not recite how the synchronized

multimedia element reproducing engine 15 selects and reproduces the images of the multimedia elements when the time table information in the form of VOB is not necessary, one of ordinary skill in the art at the time the invention was made would not have arrived at the claimed image selector using the teachings of JUNG in view of KIKUCHI. Accordingly, Applicants respectfully submit that the combination of JUNG and KIKUCHI set forth by the Examiner fails to disclose or render obvious at least an image selector that selects at least one image of the plurality of images to be rendered based on a specified location that is a location, on a time axis relating to the playback timing of the video currently being played, which is specified based on the control information and the rendition time corresponding to each image stored in the storage unit, as recited in Applicants' independent claim 1.

In view of the above, Applicants respectfully submit that independent claim 1 is allowable over the combination of JUNG and KIKUCHI as set forth by the Examiner.

In addition, Applicants respectfully submit that the method of independent claim 8 is allowable for reasons similar to those noted above with respect to independent claim 1, in addition to reasons related to its own recitations.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1 and 8 under 35 U.S.C. §103(a) as being unpatentable over JUNG and KIKUCHI.

Applicants note that this Response is being submitted after a Final Office Action has been mailed. Applicants respectfully request entry and consideration of this Response, including the amendments provided herein, and believe such entry and consideration is proper. Applicants also respectfully request the Examiner to reconsider and to withdraw all of the outstanding rejections made in the outstanding Final Office Action, and to allow the application to mature to a

U.S. letters patent. Applicants believe that such action is now proper and called for, for at least the reasons provided below.

Applicants recognize that Applicants cannot, as a matter of right, amend any finally rejected claims. However, Applicants also recognize that any amendment that will place the application either in condition for allowance or in better form for appeal may be entered. Applicants respectfully submit that entry and consideration of this Reply, including amendments provided herein, is appropriate and timely.

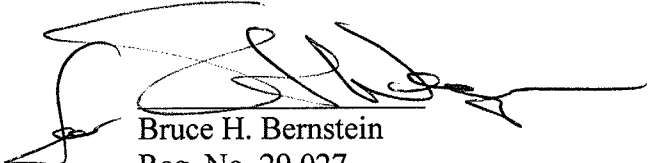
At least in view of the herein contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of each of the outstanding rejections, together with an indication of the allowability of all pending claims, in due course. Such action is respectfully requested and is believed to be appropriate and proper.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

P30026.A05

Should the Examiner have any questions concerning this Response or the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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